

SEISMIC SAFETY COMMISSION

1755 CREEKSIDE OAKS DRIVE, SUITE 100
SACRAMENTO, CA 95833
(916) 263-5506
(916) 263-0594 FAX
INTERNET: www.seismic.ca.gov



May 29, 2002

Memorandum

To: Commissioners

From: Henry Sepulveda
Director of Legislation

Subj: Legislative Report

This report updates the Commission on legislative issues and bills affecting Commission business that are pending before the Legislature and the Governor.

Commission's Current Legislative Package

1. **AB 2002 (Alquist)** directs OES to form an advisory group in 2003 consisting of USAR representatives and State emergency officials. The advisory group would collaborate to identify the needs of California's USAR teams and funding strategies to finance that need.
 - This bill was amended on May 23 to clarify the scope and intent of the bill: to convene an Advisory Committee to assist the Director of OES with the development of a strategic plan to address the resource needs of the State's USAR units.
 - The bill was approved by the Assembly Governmental Organization Committee (unanimous vote); It was heard by Assembly Appropriations Committee on May 1 (approved by unanimous vote) ; and was approved by the State Assembly on a 73-0 vote on May 28.
 - The California Professional Firefighters is a co-sponsor on this bill.
 - The City of Santa Monica and the City of Los Angeles Fire Services are also in active support of this bill.

2. **AB 977 (Alquist)** proposes full, ongoing funding for the Commission's Earthquake Emergency Investigations Account. The bill is on the Suspense File of the Senate Appropriations Committee.
 - **The bill is scheduled to be heard by the Senate Appropriations Committee in summer 2002.**

3. **SB 717 (Speier)** authorizes the issuance of \$600 million in state bonds to finance seismic retrofits of residential housing and local government buildings. It was approved by the full Senate and is on the Suspense File in the Assembly Appropriations Committee.
 - **The bill is expected to be heard by the Assembly Appropriations Committee in summer 2002.**

Legislative Tracking Report

Attached is an update of the Commission's Legislative Tracking Report for the 2001-02 Session.

Exhibit 1 summarizes Commission-sponsored bills;

Exhibit 2 highlights Assembly bills; Exhibit 3 describes pending Senate bills, including current Commission positions on those bills.

Exhibit 1
Legislative Report (June 2002)

Assembly Bills	Location	Summary	Comments
<p>AB 977 (Alquist)</p> <p>Earthquake Emergency Investigation Account</p> <p><u><i>Sponsor</i></u></p>	Senate Appropriations Committee	Proposes full, ongoing funding for the Commission's Earthquake Emergency Investigations Account.	Pending before Senate Appropriations Committee since 2001.
<p>AB 2002 (Alquist)</p> <p>Urban Search and Rescue Advisory Committee</p> <p><u><i>Sponsor</i></u></p>	Senate Floor	Directs OES to form an advisory group by September 2003 consisting of USAR representatives and State emergency officials. The advisory group would collaborate to develop a strategy, plan to address the resource needs of California's USAR teams.	Co-sponsored by the Calif. Professional Firefighters. Approved by the Assembly on a 73-0 vote on 5/28/02
<p>SB 717 (Speier)</p> <p>Calif. Seismic Safety Bond Act of 2002</p> <p><u><i>Sponsor</i></u></p>	Assembly Appropriations Committee	Authorizes the issuance of \$600 million in state General Obligation bonds to finance seismic retrofits of residential housing and local government (essential services) buildings.	Approved by the full Senate and is on the Suspense File in the Assembly Appropriations Committee.

Exhibit 2
Legislative Report (June 2002)

Assembly Bills	Location	Summary	Comments
AB 16 (Hertzberg)	Chapter 33, Statutes of 2002	Public Education Facilities Bond Act of 2002 and 2004: Directs the Commission to convene an "Advisory Group" to study the feasibility of a process by which existing buildings that do not conform to the Field Act may be used as school facilities without compromising "pupil safety." The Advisory Group must meet by August 19, 2002 and present its findings to the Commission by December 31, 2002. The Commission is then to report its findings to the Governor and Legislature by January 8, 2003.	Signed into law. Commission has commenced work on this law (using existing resources). Plans call for reimbursement of addition Commission expenses from the proceeds of the sale of the bonds. Bond proposal will be on the November 2002 ballot.
AB 557 (Aroner) Safe Hospitals Bond Act <u>Support</u>	Senate Appropriations Committee	Establishes the Safe Hospitals Bond Act of 2004 and the Safe Hospitals Bond Act of 2006 to authorize the issuance of State general obligation bonds providing financial assistance to hospitals to comply with the SB 1953 deadlines. The bonds would be issued as follows: \$1 billion in 2004 and \$1 billion in 2006.	Inactive.
AB 940 (Keeley) CA Earthquake Authority <u>Watch</u>	Senate Inactive File	Adds two voting members to the California Earthquake Authority Board (one representative from the State Senate and one representative from the State Assembly). Reporting requirements are also changed to include submittals to the Assembly Judiciary Committee and the Joint Legislative Audit Committee.	Inactive

Exhibit 2
Legislative Report (June 2002)

AB 1000 (Simitian) Field Act (Community. Colleges) <u>Oppose unless amended</u>	Senate Education Committee	Authorizes Community Colleges to enter into design-build contracts for campus projects exceeding \$10 million. Includes a 2008 sunset date.	Pending before Senate Education Committee since Feb 7, 2002.
AB 1156 (Aroner) Safe Hospitals Bond <u>Support</u>	Senate Health and Human Services Committee	States legislative intent to establish the Safe Hospitals Bond Act of 2002 authorizing the issuance of State G.O. bonds (unspecified amount) to fund hospital construction for purposes of complying with SB 1953. Hospitals to provide up to 25% match.	Inactive
AB 1362 (Wiggins) CA Building Rehabilitation <u>Watch</u>	Senate Housing and Community Development Committee	Establishes the California Building Rehabilitation Code Advisory Council to advise the State Building Standards Commission on whether the development of state building rehabilitation guidelines will improve the re-use and safety of existing buildings. Includes a 2006 sunset date.	
AB 1815 (Frommer) CA Homeland Defense Bonds <u>Support</u>	Assembly Appropriations Committee <i>(Suspense File)</i>	Declares legislative authority to authorize the issuance of up to \$500 million in state G.O. bonds ("California Homeland Defense Bonds"); Proceeds to be used to fund anti-terrorism activities by local firefighting agencies, police depts., and local emergency services agencies. Bonds would have short (5-year) maturities and be patterned after US Savings EE bonds.	

Exhibit 2
Legislative Report (June 2002)

<p>AB 2035 (Frommer)</p> <p>Disaster Response Hospital Act</p> <p><u>Support</u></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>Establishes the Disaster Response Field Hospitals Act and directs the state Emergency Services Management Authority (EMSA) to operate three disaster response field hospitals (one each in Northern, Central and Southern California) staffed by local, regional and state personnel. <u>Subject to Budget Act funding</u>, the field hospitals are to be operational by January 1, 2004. Bill also requires each general acute care hospital to submit an HEICS plan by July 1, 2003.</p>	<p>The field hospitals are intended to improve the state's preparedness to respond to a disaster or terrorism incident.</p>
<p>AB 2046 (Corbett)</p> <p>School Safety Advisory Council</p> <p><u>Support</u></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>This bill creates a School Safety Advisory Council to consider issues of school safety and report to the State Department of Education and to the Legislature. The Council sunsets on January 1, 2004.</p>	
<p>AB 2201 (Corbett)</p> <p>Emergency Manager/Schools</p> <p><u>Support</u></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>This bill requires school districts to appoint an emergency manager to develop and manage emergency plans. This would create a state-mandated program.</p>	

Exhibit 2
Legislative Report (June 2002)

AB 2233 (Wright) Firefighting Equipment Bond Act <u><i>Support</i></u>	Assembly Appropriations Committee <i>(Suspense File)</i>	This bill, the Firefighting Equipment Bond Act of 2002, would authorize the issuance of an unspecified amount of State general obligation bonds for the purpose of financing firefighting equipment, including –specifically–thermal imaging equipment.	
AB 2708 (Mountjoy) School Safety Plans <u><i>Support</i></u>	Assembly 2d Reading	Specifies that a new school campus that begins offering classes to pupils after March 1, 2001, must comply with requirements to adopt a comprehensive school safety plan.	According to author, the bill is intended to close loopholes in current law and reinforce the importance of schools' adopting a comprehensive school safety plan, which covers all disasters, including earthquakes

Exhibit 3
Legislative Report (June 2002)

Senate Bills	Location	Summary	Comments
SB 27 (McPherson) Terrorism Training <u><i>Support</i></u>	Assembly Governmental Organization Committee	Requires OES to develop terrorism and bio-terrorism training curriculum for local agency “first responders.” Creation of a network of statewide trainers to be completed by June 30, 2002	Similar to SB 1350 (see below).
SB 332 (Sher) Straw Bale Structures <u><i>Neutral</i></u>	Chapter 31, Statutes of 2002	Specifies building guidelines that apply to structures constructed of baled rice straw, subject to specific findings made by the local building agencies.	Signed into law.
SB 355 (Escutia) Construction Liability <u><i>Neutral</i></u>	Assembly Desk	Makes legislative declarations regarding a recent appellate court decision (<u>Aas v. Superior Court</u> , 2000) which held that a developer may not be held liable in negligence for failing to install safety protections (<i>e.g.</i> , seismic restraints) unless that defect has caused death, bodily injury, or property damage.	
SB 709 (Alpert) Field Act <u><i>Oppose</i></u>	Assembly Appropriations Committee	Deletes existing Jan 1, 2003 deadline for use of leased nonconforming school buildings (certified by a structural engineer as in “substantial compliance” with Field Act). Expands existing exemptions to include leased commercial buildings (initial construct. permit issued on or after Jan 1, 1976).	Inactive. Bill was suspended in favor of Commission study in AB 16 relating to the use of non-Field Act compliant buildings as classrooms.

Exhibit 3
Legislative Report (June 2002)

<p>SB 842 (Speier)</p> <p>Hospital Seismic Safety</p> <p><u>Support if amended</u></p>	<p>Assembly Inactive File</p>	<p>Allows five-year extensions (to 2013) of existing hospital seismic safety deadlines if the hospital agrees to comply with 2030 requirements by 2013. Also authorizes OSHPD to grant up to five-year extensions on a case-by-case basis so long as the hospital submits a compliance plan that includes specific work progress milestones.</p>	<p>Inactive since end of 2001 session.</p>
<p>SB 928 (Dunn)</p> <p>Hospital Seismic Safety/ GO Bonds</p> <p><u>Support</u></p>	<p>Assembly Health Committee</p>	<p>States legislative intent to provide public funding (by the issuance of state general obligation bonds) to not-for-profit hospitals to comply with SB 1953 (hospital seismic safety) requirements.</p>	
<p>SB 1350 (McPherson)</p> <p>Terrorism Training</p> <p><u>Support</u></p>	<p>Senate Floor</p>	<p>Subject to the availability of Federal funding, requires OES to develop specific training dealing with terrorism awareness training and response.</p>	
<p>SB 1500 (Johnson)</p> <p>Hazard Mapping Act</p> <p><u>Neutral</u></p>	<p>Assembly Desk</p>	<p>As amended on April 16, the bill now requires sellers to inform prospective buyers about seismic hazard maps prepared in accordance with previously established CGS guidelines. All other provisions were deleted.</p>	<p>Previous version of bill included changes to the Seismic Hazard Mapping Act regarding mitigation of landslide hazards. Commission concerns (opposition) relayed to author. SSC changed position at May Commission meeting.</p>

Exhibit 3
Legislative Report (June 2002)

SB 1629 (Soto) Firefighter Training Grants <u>Support</u>	Senate Floor	Requires OES to provide grants to local agencies for training to upgrade the skills of firefighters and emergency personnel funding.	
SB 1992 (Perata) Gas Shut-off Valves <u>Watch</u>	Senate Floor	Directs the State Department of Housing and Community Development to study proposals that the State Building Standards Commission adopt regulations for the installation of gas shut-off devices in residential dwellings.	Prior version of bill required statewide mandatory installation of gas shut-off devices. SSC concerns relayed to policy committee and author. Bill was subsequently amended.